

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**FEDERAL TRADE COMMISSION,  
STATE OF ILLINOIS, and  
STATE OF MINNESOTA,**

*Plaintiffs,*

v.

**GTCR, LLC,  
GTCR BC HOLDINGS, LLC, and  
SURMODICS, INC.,**

*Defendants.*

**Case No. 1:25-cv-02391**

**DEFENDANTS' UNOPPOSED MOTION TO SEAL THEIR  
OPPOSITION TO PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Paragraph 10 of the Confidentiality Order (Dkt. 61), Defendants GTCR, LLC, GTCR BC Holdings, LLC, and Surmodics, Inc. (collectively, “Defendants”) respectfully move the Court for an order, pursuant to Rules 5.2 and 7(b) of the Federal Rules of Civil Procedure and Local Rules 5.8 and 26.2, directing the Clerk of the Court to file under seal, until further order, (1) Defendants’ Opposition to Plaintiffs’ Motion for Preliminary Injunction, (2) the declaration of Marguerite Sullivan and corresponding exhibits to Defendants’ Opposition to Plaintiffs’ Motion for Preliminary Injunction, and (3) the declaration of Ian Conner (collectively, “Defendants’ Opposition”). Defendants conferred with Plaintiffs who indicated that Plaintiffs do not oppose this motion.

Pursuant to the Court’s Confidentiality Order, “[i]n the event that any Confidential Material is contained in any pleading, motion, exhibit or other paper filed or to be filed with the

Court, the Court shall be so informed by the Party filing such papers, and such papers shall be filed *in camera*.” Dkt. No. 61, ¶ 10. Defendants’ Opposition includes information designated as “Confidential Material,” including potentially sensitive business information provided by Defendants and third-parties.

In conjunction with this motion, Defendants provisionally file under seal an unredacted version of Defendants’ Opposition. Pursuant to the Confidentiality Order, Dkt. 61, Defendants will publicly file a redacted version of their Opposition within five (5) business days of the filing of Defendants’ Opposition. At the time of filing, Defendants will also serve an unredacted version of Defendants’ Opposition via email upon all counsel of record.

WHEREFORE, Defendants respectfully request this Court grant them leave to file under seal Defendants’ Opposition to Plaintiffs’ Motion for a Preliminary Injunction.

Date: August 3, 2025

Respectfully submitted,

/s/ Marguerite Sullivan

Sean M. Berkowitz  
Gary Feinerman  
Heather A. Waller  
LATHAM & WATKINS LLP  
330 North Wabash Avenue, Suite 2800  
Chicago, IL 60611  
312-876-7700  
sean.berkowitz@lw.com  
gary.feinerman@lw.com  
heather.waller@lw.com

Kelly S. Fayne (pro hac vice)  
LATHAM & WATKINS LLP  
505 Montgomery Street, Suite 2000  
San Francisco, CA 94111  
415-391-0600  
kelly.fayne@lw.com

Marguerite Sullivan (*pro hac vice*)  
Ian Conner (*pro hac vice*)  
Amanda P. Reeves (*pro hac vice*)  
Lawrence Buterman (*pro hac vice*)  
LATHAM & WATKINS LLP  
555 Eleventh Street, NW  
Washington, DC 20004  
202-637-2200  
marguerite.sullivan@lw.com  
ian.conner@lw.com  
amanda.reeves@lw.com  
lawrence.buterman@lw.com

/s/ Daniel P. Culley  
Daniel P. Culley  
D. Bruce Hoffman (*pro hac vice*)  
Blair West Matthews (*pro hac vice*)  
Cleary Gottlieb Steen & Hamilton LLP  
2112 Pennsylvania Avenue NW  
Washington, DC 20037  
(202) 974-1593  
dculley@cgsh.com  
bhoffman@cgsh.com  
bmatthews@cgsh.com

Heather S. Nyong'o (*pro hac vice*)  
CLEARY GOTTLIEB STEEN &  
HAMILTON LLP  
650 California St.  
San Francisco, CA 94108  
415-796-4400  
hnyongo@cgsh.com

*Counsel for Defendants GTCR, LLC and  
GTCR BC Holdings, LLC*

/s/ Paul Saint-Antoine  
Paul Saint-Antoine (*pro hac vice*)  
Joanne C. Lewers (*pro hac vice*)  
FAEGRE DRINKER BIDDLE & REATH  
LLP  
One Logan Square, Suite 2000  
Philadelphia, PA 19103  
(215) 988-2990  
paul.saint-antoine@faegredrinker.com

Joshua P. Mahoney  
FAEGRE DRINKER BIDDLE & REATH  
LLP  
320 South Canal Street, Suite 3300  
Chicago, IL 60606  
Tel: (312) 212-6520  
josh.mahoney@faegredrinker.com

*Counsel for Defendant Surmodics, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing was served electronically through this Court's electronic service system upon all parties and/or counsel of record on August 3, 2025. Notice of this filing is sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

/s/ Marguerite Sullivan  
Marguerite Sullivan